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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CITY OF NORTH LAS VEGAS,

Plaintiff,

vs.

CLARK COUNTY, NEVADA; THE
UNITED STATES OF AMERICA,
Acting By and Through the Secretary of
the Air Force; UNITED STATES
DEPARTMENT OF THE AIR FORCE;
and MICHAEL B. DONLEY, Secretary
of the Air Force,

Defendants.

CASE NO.: 2:11-cv-00944- PMP-PAL

AMENDED
STIPULATION AND ORDER TO EXTEND TIME TO SUBMIT DISCOVERY PLANS
AND TO VACATE NOVEMBER 15, 2011 HEARING
(Second Request)

Pursuant to Fed. R. Civ. P. 6(b)(1) and LR 7-1, Defendants, the United States of America, United States Department of the Air Force, and Michael B. Donley, Secretary of the Air Force (hereinafter collectively referred to as the “United States”), and Plaintiff, the City of North Las Vegas (“CNLV”), by and through their counsel undersigned, hereby stipulate that the November 14, 2011 deadline to submit a joint or competing discovery plans be extended by 60 days until January 16, 2012, and that the status hearing currently scheduled for November 15, 2011 be vacated and reset at the Court’s convenience after January 16, 2012. The reason for this request

1 is that the parties have continued to make progress toward settling this matter, but need additional
2 time to complete pre-settlement requirements, such as a real property survey, and believe their
3 time and resources are best spent on finalizing a settlement.

4 **RECITALS**

5 1. On September 30, 2011, the parties submitted a Stipulation for Extension of Time
6 to Submit Discovery Plans and to Vacate October 4, 2011 Hearing (Doc. #71) based on their
7 progress in reaching a settlement of this dispute.

8 2. On October 5, 2011, this Court entered an Order granting the parties' September
9 30, 2011 Stipulation and extending the deadline to submit joint or competing discovery plans to
10 November 14, 2011. The Court also continued the status hearing originally scheduled for
11 October 4, 2011 to November 15, 2011 (Doc. #72).

12 3. Good cause exists to extend the November 14, 2011 deadline for a period of 60
13 days, until January 16, 2012. The parties have acted diligently in pursuing a resolution of this
14 matter. Several draft proposals have been circulated and the parties continue to make good
15 progress toward a settlement.

16 4. One of the requirements that must be completed before a settlement can be
17 finalized is a survey to demarcate CNLV's discharge easement across the United State's property.
18 The parties are in the process of arranging a survey, but additional time is needed to accomplish
19 this requirement.

20 5. The parties certify that this Stipulation is not submitted solely for the purpose of
21 delay or for any other improper purpose; but rather to conserve the parties' limited resources and
22 to focus their efforts on a resolution.

23 6. For these reasons, the parties stipulate, subject to this Court's approval, that the
24 November 14, 2011 deadline be extended by 60 days to January 16, 2012, and that the hearing

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1 currently scheduled for November 15, 2011 be vacated and reset at a date convenient for the
2 Court after January 16, 2012.

3 Respectfully submitted this 11th day of November 2011.

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5 SNELL & WILMER L.L.P.

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Force and Michael B. Donley, Secretary of
the Air Force*

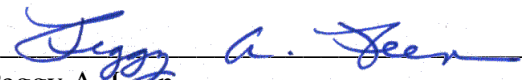
*Attorneys for Plaintiff
City of North Las Vegas*

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15 **ORDER**

16 **IT IS ORDERED** that the joint or competing discovery plans currently due November 14,
17 2011, is **VACATED** and **CONTINUED** to **January 18, 2012**.

18 **IT IS FURTHER ORDERED** that the hearing currently scheduled for November 15,
2011, is **VACATED** and **CONTINUED** to **January 24, 2012, at 10:00 a.m.**, in Courtroom 3B.

19 DATED this 15th day of November, 2011.

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22 Peggy A. Leen
United States Magistrate Judge

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